

Pursuant to Local Rule 7.2, Defendant City of Cambridge (“City”) moves to impound what has been marked as Exhibit A to be filed with its Motion to Preclude Testimony of Sheldon Wishnick (“Daubert Motion”). The City’s Daubert Motion will be filed on or before March 8, 2024.

1. In this litigation, the Plaintiff designated Sheldon Wishnick (“Wishnick”) as an expert witness on December 1, 2023.
2. Wishnick was deposed on January 29, 2024.
3. Prior to deposition, Plaintiff offered a report dated November 30, 2023 entitled “Expert Report.” The report is marked “confidential, attorney’s eyes only.” For purposes of the City’s Daubert motion this report is marked as Exhibit A.
4. A protective order was entered in this case on July 11, 2022. Under the terms of that order, the parties agreed that “[i]f a party desires to file anything with the Court that includes CONFIDENTIAL INFORMATION . . . that party must move in advance of that filing to

impound that information in accordance with Local Rule 7.2. Docket Entry No. 54, Para. 7.

5. Consistent with the above referenced protective order, the City is moving to impound Exhibit A.¹

WHEREFORE, the City respectfully requests that the Court permit the impoundment of Exhibit A.

Dated: **March 6, 2024**

DEFENDANT, CITY OF CAMBRIDGE

By its attorneys,

/s/ Sydney M. Wright

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LOCAL RULE 7.1 CERTIFICATION

Pursuant to Local Rule 7.1(a), counsel for the Defendant City of Cambridge hereby certifies that she has, in good faith, conferred with counsel for the Plaintiff prior to the filing of this motion.

/s/ Sydney M. Wright

¹ On March 6, 2024, Plaintiff's counsel assented, via email, to the impoundment of the Sheldon Wishnick's expert report.

Sydney M. Wright

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: **March 6, 2024.**

/s/ Sydney M. Wright
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